

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Alan Jeffrey Anderson,

Plaintiff

v.

United States of America,

Defendant

Case No. 2:24-cv-02011-CDS-DJA

**Order Granting Defendant's  
Unopposed Motion to Dismiss and Denying  
Defendant's Motion to Stay as Moot**

[ECF Nos. 12, 14]

This is a Federal Tort Claims Act that was removed to this court by defendant United States of America, on October 25, 2024. Pet. for removal, ECF No. 1. On December 31, 2024, the United States moved to dismiss this action. Mot. to dismiss, ECF No. 12. Any opposition to that motion was due by January 16, 2025. Min. order, ECF No. 13. That deadline passed without any response, leaving the motion to dismiss unopposed. This court's Local Rule 7-2(d) provides that "[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion." I apply this rule and deem plaintiff's failure to respond to the motion to dismiss as consent to granting the motion.

**Conclusion**

IT IS THEREFORE ORDERED that the United States of America's motion to dismiss [ECF No. 12] is GRANTED, therefore this case is **dismissed without prejudice**.

IT IS FURTHER ORDERED that the United States of America's motion to stay discovery [ECF No. 14] is DENIED as moot.

The Clerk of Court is kindly directed to close this case.

Dated: January 24, 2025

  
Cristina D. Silva  
United States District Judge